



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, SEPTEMBER 23, 2003

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR JOSEPH H. MUELLER
VICE-CHAIR CHARLES D. WESTON
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE

STUDY SESSION - 6:00 P.M.

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

1. **STUDY SESSION** - 6 P.M.

Royal Court – 60 unit residential development proposed by South County Housing to be located north of Wright Avenue between Monterey Road and Del Monte Avenue.

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

PUBLIC HEARINGS

MINUTES: September 9, 2003

CONSENT CALENDAR:

1. **VACATION OF A PORTION OF BARRETT AVENUE:** Review vacation of a street held by the City as a public right-of-way and make a finding of consistency with the General Plan.

Recommendation: Adopt Resolution No. 03-71.

2. **EXTENSION OF TIME, EOT-03-14: CONDIT-PATEL:** A request for an Extension of Time for a Conditional Use Permit approval to allow for the construction of a 6,500 square foot building, arcade, restaurant and miniature golf course on 1.6 acres. The location is the W. side of Condit Rd., approximately 800 ft S. of the E. Dunne Ave./Condit Rd. intersection. The zoning for the site is Planned Unit Development (PUD). (APN 817-12-004)

Recommendation: Adopt Resolution No. 03-70, approving extension of time request.

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OLD BUSINESS:

- 3) **ZONING AMENDMENT, ZA-02-12/DEVELOPMENT AGREEMENT, DA-02-11: NINA LANE-CHEN:** A request for approval of a zoning amendment and development agreement for a five-unit residential project located at the southeast corner of Juan Hernandez Dr. and San Vicente Ct. The subject site is approximately 1.26 acres, and is located in the R1(12,000)/RPD zoning district. A mitigated Negative Declaration is proposed. (APNs 817-60-062 thru -067)

Recommendation: Reconvene Public Hearing/Approve Mitigated Negative Declaration/Adopt Resolution Nos. 03-64 (zoning amendment) and 03-65 (development agreement), with recommendation to forward to the City Council for approval.

NEW BUSINESS:

- 4) **ZONING AMENDMENT, ZA-02-16/SUBDIVISION, SD-02-11/DEVELOPMENT AGREEMENT AMENDMENT, DAA-02-09: DEWITT-MARQUEZ/GLUHAICH:** A request for approval of a zoning amendment to Residential Planned Development for the larger five parcel, 9.45-acre area on the west side of DeWitt Ave. within which the subdivision will be developed. The RPD will be developed with a total of 21 single-family residences. Applicant also requests approval of a 5-lot single-family residential subdivision and development agreement amendment on an existing two-acre parcel located on the west side of DeWitt Ave. approximately 700 ft. south of the DeWitt Ave. intersection with W. Dunne Ave. (APNs 773-08-012 thru 016)

Recommendation: Open Public Hearing/Approve Mitigated Negative Declaration/Adopt Resolution Nos. 03-72 (zoning amendment), 03-73 (subdivision), and 03-74 (development agreement amendment), with recommendation to forward to the City Council for approval.

- 5) **ANNEXATION, ANX-03-02/SUBDIVISION, SD-03-05/DEVELOPMENT AGREEMENT, DA-03-05: DEWITT-MARRAD GROUP:** A request for annexation of two parcels (2 acres each) totaling 4 acres located on the west side of DeWitt Ave. approximately 700 ft. south of the DeWitt Ave. intersection with W. Dunne Ave. into the City of Morgan Hill. Applicant also requests approval of a 4-lot single-family residential subdivision on the northernmost parcel of the two parcels being considered for annexation and approval of a residential development agreement for the project. (APNs 773-08-015 & 016)

Recommendation: Open Public Hearing/Approve Mitigated Negative Declaration/Adopt Resolution Nos. 03-75 (annexation), 03-76 (subdivision) and 03-77 (development agreement), with recommendation to forward to the City Council for approval.

- 6) **USE PERMIT, UP-03-07: JARVIS – GENERATIONS FOURSQUARE CHURCH:** A request for approval of a conditional use permit to allow a church use to be located in an existing 41,890-sf building. The proposed use includes congregation areas, classrooms, sports court, a dining facility and various meeting rooms/offices. The subject building is located at 675 Jarvis Dr. in the Morgan Hill Ranch Business Park in a PUD zoning district. (APNs 726-32-011 & 014)

Recommendation: Open Public Hearing/Approve Negative Declaration/Adopt Resolution No. 03-78, approving conditional use permit request.

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OTHER BUSINESS:

7) REVIEW OF PROPOSED MEASURE P UPDATE INITIATIVE:

Recommendation: Review proposed initiative.

8) POLICY DIRECTION REGARDING FOR-SALE ATTACHED HOUSING UNITS:

Significantly increasing insurance premiums for new, for-sale attached housing units have made the construction of these units financially infeasible for local developers. Developers and Staff request policy direction from the Planning Commission for design alternatives to the attached housing units. Policy direction is also requested to address Measure P, Zoning and General Plan implications, eligibility criteria, and procedural standards.

Recommendation: Receive report on the results of the attached housing subcommittee.

INFORMATIONAL ONLY: Affordable Housing Strategy Report

TENTATIVE UPCOMING AGENDA ITEM FOR THE OCTOBER 14, 2003 MEETING:

- **AP-03-04: Foothill-Committee For Green Hills/Santa Clara Valley Audubon Society**
- **ZA-03-10: Watsonville-South County Housing**
- **SD-03-08: Watsonville-South County Housing**
- **DA-03-06: Watsonville-South County Housing**
- **ZAA-01-05: Monterey-South Valley Developers**
- **Endorsement of VTA's Community Design & Transportation Best Practices Manual**
- **Multi-Family Vacancy Rate Report**
- **Street Standards**

ANNOUNCEMENTS:

- **American Planning Association (APA) Audio Conference on October 1, 2003**

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to

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comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE
AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.